

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Boards of Trustees of the Ohio Laborers' Fringe Benefit Programs	:	
	:	
Plaintiff,	:	
	:	
vs.	:	Case No. 2:12-CV-552
	:	
J.A. Dempsey and Sons Excavating Co., Inc.	:	Judge Frost
	:	Magistrate Judge King
Defendant.	:	

**ORDER GRANTING PLAINTIFFS' MOTION
TO ACCELERATE AND COMPEL DISCOVERY**

This cause came on to be heard upon Plaintiffs' Motion to Accelerate and Compel Discovery. It appearing to the Court that Defendant has failed to answer or otherwise appear in this action, and default having been entered, and it further appearing that the Complaint seeks to compel an audit of Defendant's payroll records and that production of the records and the testimony of its officer is necessary to complete the audit and to permit Plaintiffs to seek any ultimate relief by way of a money judgment that may be appropriate, and it further appearing that cause exists to accelerate the commencement of discovery pursuant to Civil Rule 26, and to compel the Defendant to respond, it is hereby

ORDERED that Defendant J.A. Dempsey and Sons Excavating Co., Inc., through an authorized officer, appear for deposition on August 27, 2012 and produce the payroll documents requested in Plaintiffs' Notice of Deposition.

8/16/12


UNITED STATES MAGISTRATE JUDGE

Approved:

s/Steven L. Ball

Steven L. Ball (0007186)

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